REMARKS

The application has been reviewed in light of the Office Action dated March 28, 2005. Claims 1-52 are pending in this application, with claims 1, 6, 16, 21, 26, 31, 41 and 46-52 being in independent form. Claims 1, 4-6 and 21 have been amended. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

The Office Action indicates that the Declaration is defective because a signature of an inventor is not dated. Applicants will attend to this formality and submit a corrected Declaration in due course.

Claims 1-52 were rejected under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent 6,192,404 to Hurst et al. Initially, Applicants point out that Hurst et al., although cited as a reference in the Office Action, is not listed on the Form PTO-892 which accompanied the Office Action. It is respectfully requested that Hurst et al. be listed on the Form PTO-892. Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit the independent claims are patentable over the cited art, for at least the following reasons.

Independent claim 1 relates to a method of identifying a plurality of nodes on a network, comprising sending a query from a caller node, receiving at at least one of the plurality of nodes on the network the query sent from the caller node, determining at the at least one of the plurality of nodes on the network an answer to the query, forwarding the answer to the query from the at least one of the plurality of nodes on the network to the caller node and receiving, at the caller node, the answer to the query from the at least one of the plurality of nodes on the network and maintaining a list of nodes which responded to the query.

Hurst et al., as understood by Applicants, relates to determining distance between nodes

in a computer network. A base node of a computer network sends concurrent TTL query messages using multicast to other receiving nodes of the computer network. Each of the TTL query messages has a different time-to-live (TTL) parameter value. As understood by Applicants, Hurst et al. requires multiple query messages to be sent by the base node.

In contrast, independent claim 1 recites sending *a* query from a caller node. Accordingly, Applicants find no teaching or suggestion of a method of identifying a plurality of nodes on a network, comprising sending a query from a caller node, receiving at at least one of the plurality of nodes on the network the query send from the a caller node, determining at the at least one of the plurality of nodes on the network an answer to the query, forwarding the answer to the query from the at least one of the plurality of nodes on the network to the caller node and receiving, at the caller node, the answer to the query from the at least one of the plurality of nodes on the network and maintaining a list of nodes which responded to the query.

Accordingly, Applicants submit independent claim 1 is patentably distinct from the cited art. Independent claims 6, 21, 26, 31, 46, 47, 49, 50, 51 and 52 are believed to be patentably distinct for at least similar reasons.

The Office Action suggests that the features recited in claims 16, 41 and 48 are disclosed by Hurst et al., citing Col. 6, line 49 – Col. 7, line 14. Applicants respectfully disagree.

Hurst et al. described processing performed in response to the TTL query message. TTL determining logic collects TTL query messages and determines the lowest TTL parameter value of all TTL query messages received. The lowest TTL parameter value of any TTL query message to reach the computer is determined to be the TTL distance between computers. Hurst et al. also determies a predetermined time period during which TTL determining logic assumes additional TTL query messages can be en route to the computer.

However, Applicants find no teaching or suggestion in the cited art of calculating a period of time to wait before responding to the query or determining whether the node has a lowest address in the network, as recited in independent claim 16.

Accordingly, Applicants submit independent claim 16 is patentably distinct from the cited art. Independent claims 41 and 48 are believed to be patentably distinct from the cited art for at least similar reasons.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

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